



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

Department of Toxic Substances Control

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Judgement Requires Oil Distributor to Pay \$1.65 Million

SACRAMENTO--- The California Environmental Protection Agency's Department of Toxic Substances Control (DTSC) today announced entry of a stipulated judgement requiring BC Stocking at 7300 Chevron Way in Dixon to pay \$1.65 million in penalties and costs as a result of the company's environmental violations. The judgment settles a 1999 complaint filed by the California Attorney General, together with the Solano and Yolo County District Attorneys, based on a series of hazardous waste and underground tank violations revealed during inspections conducted by DTSC, Yolo, Solano, and Sacramento County environmental regulators at three northern California facilities.

"This joint enforcement action pursued by DTSC and the counties has achieved an inclusive resolution of BC Stocking's violations. This approach assures us that the facility is in compliance with both county ordinances and state law," announced Ed Lowry, DTSC Director.

BC Stocking owns and operates a used oil transfer facility in Dixon and underground storage tanks in Sacramento, Solano and Yolo Counties. The company, which has been in business since 1961, is a supplier and distributor of petroleum products. The facility corrected most of the violations before the Attorney General submitted the judgment to the court.

According to the complaint; "Sacramento, Solano and Yolo counties did not issue operating permits to BC Stocking for the underground tanks because it had not met preconditions. Despite repeated warnings from the three counties, and requests to comply with the law, defendants continued to own and operate the tanks without permits, in violation of laws and regulations."

The judgment, entered by the Superior Court for the County of Sacramento, on May 17, 2001, resolves the 1999 complaint and the recently filed amended complaint. The complaint states that DTSC cited the used oil facility in Dixon for violations of the state's

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hazardous waste management laws. DTSC conducted a series of inspections at the Dixon facility (May 15, 2000, June 17, 1999; December 19, 1997; April 30, 1996; April 17, 1996 and March 19, 1996) which revealed a number of administrative and operational violations including:

- failure to apply for an identification number and continuing to operate and transport hazardous waste without a valid identification number,
- storage of hazardous wastes in unauthorized units,
- acceptance of hazardous wastes without authorization,
- failure to maintain financial assurance and liability documents,
- transportation of hazardous waste without a DTSC hazardous waste manifest,
- failure to determine if waste generated by the company was hazardous by testing or applying knowledge of waste characteristics,
- failure to develop, follow and keep on site a waste analysis plan,
- failure to determine leaking or unfit tank and failure to maintain certified integrity assessments certified for tanks without secondary containment,
- failure to provide adequate secondary containment for tanks at the facility, and
- failure to train personnel adequately.

Besides the hazardous waste violations, the county inspections revealed that the company owned and operated underground storage tanks without permits. County inspectors found that the company owned eight underground storage tanks at 7300 Chevron Way in Dixon, seven underground storage tanks at 341 Industrial Way in Woodland, and three underground storage tanks at 324 North 16th Street in Sacramento.

DTSC is one of six Boards and Departments within the California Environmental Protection Agency. DTSC's mission is to protect and enhance public health and the environment by regulating the management of hazardous waste and promoting its reduction.

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"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at www.dtsc.ca.gov."